

CHRISTOPHER MADIOU

WOOLWORTH BUILDING
233 BROADWAY – SUITE 2208
NEW YORK, NY 10279

P (917) 408 - 6484
F (212) 571 - 9149
CHRIS@MADIOULAW.COM

WWW.MADIOULAW.COM

September 9, 2020

The Honorable P. Kevin Castel
United States Courthouse
500 Pearl Street
New York, NY 10007
By ECF and email

Re: *United States v. Jason Galanis*, S2 15 CR 643 (PKC)

Dear Judge Castel,

I represent Jason Galanis in the above-mentioned case. I write with consent from the government to request that Mr. Galanis' September 23, 2020 sentencing hearing be conducted via remote video conference. Mr. Galanis makes this application pursuant to Section 15002 of the CARES Act and the Chief Judge's related Standing Orders.

As Your Honor knows, the Covid-19 pandemic has presented health and safety concerns for defendants and parties appearing in court.¹ While counsel understands that limited in-person sentencings have begun in our district, sentencing Mr. Galanis in person will still potentially and unnecessarily expose him, the U.S. Marshals and others to the virus while traveling to court and back. This risk is highlighted by the BOP's policy of quarantining inmates who return from in-person court proceedings in the Special Housing Unit ("SHU") for 21 days.² This is of particular concern for Mr. Galanis. As the Court may recall, Mr. Galanis was previously designated to FCI Terminal Island in San Pedro, California; he expects to return to that facility after this sentencing. Before his cross-country trip to FCI Terminal Island, Mr. Galanis will be quarantined in the MDC SHU for 21 days prior to his departure. He will be quarantined for 21 days, in SHU, when he arrives at FTC Oklahoma City, a BOP transfer facility for inmates traveling across country and then again when he leaves. He will again be quarantined for 21 days when he arrives at and leaves USP Victorville, which is another transfer stop for inmates destined for west coast facilities. Finally, he will be quarantined for 21 days when he finally arrives at his designated facility, FCI Terminal Island. We respectfully ask that the Court grant this application to spare Mr. Galanis the additional, and brutal, 21 days of SHU quarantine at MDC after an in-person court appearance.

¹ As of this writing, five court officers in the Eastern District of New York have tested positive for the virus. *See, Brooklyn Court Closed After Positive COVID-19 Tests*, Law360.com, September 4, 2020, available at https://www.law360.com/newyork/articles/1307530/brooklyn-court-closed-after-positive-covid-19-tests?nl_pk=4a9348d7-54b2-44da-a3f4-94f010ce6282&utm_source=newsletter&utm_medium=email&utm_campaign=newyork

² Counsel has received this information from the Attorney-in-Chief of Federal Defenders, David Patton.

Additionally, even though Mr. Galanis is likely to receive a years-long custodial sentence, he requests that he be sentenced now, remotely, because it will hasten his transfer to FCI Terminal Island and allow him to continue his BOP coursework, which earns him jail time credit pursuant to the First Step Act in addition to resuming his coursework through the University of London. Mr. Galanis is also unable to participate in the RDAP program, which also potentially reduces his custodial time, until he arrives at FCI Terminal Island.

After consultation with counsel, Mr. Galanis knowingly and voluntarily waives his right to be physically present at his sentencing before the Court and consents to the imposition of sentence via videoconference or telephone pursuant to the CARES Act. Mr. Galanis has consented to counsel executing a waiver of appearance at sentencing form, which I will email to chambers separately if our application is granted. He is also willing to waive any appellate claim arising from him being sentenced remotely. Again, the government consents to this application.

Thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Madiou'.

Christopher Madiou
Counsel for Jason Galanis

cc. AUSAs Brian Blais and Rebecca Mermelstein (by ECF)